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Agenda item 8

HUMAN RIGHTS QUESTIONS

Report of the Second (Social) Committee

1. The Second (Social) Committee considered human rights questions (agenda item 8) at its 7th to 9th and 11th to 16th meetings, on 17 May and from 20 to 24 May 1991. It had before it the following documents:

(a) Letter dated 5 January 1991 from the Chargé d'affaires a.i. of the Permanent Mission of Albania to the United Nations addressed to the Secretary-General (A/46/59-E/1991/7);

(b) Letter dated 19 January 1991 from the Permanent Representative of Greece to the United Nations addressed to the Secretary-General (A/46/71-E/1991/9);

(c) Note verbale dated 6 May 1991 from the Permanent Representative of Albania to the United Nations addressed to the Secretary-General (A/46/166-E/1991/71);

(d) Report of the Secretary-General on the implementation of Economic and Social Council resolution 1983/30 on the suppression of the traffic in persons and of the exploitation of the prostitution of others (E/1991/18);

(e) Report of the Commission on Human Rights on its forty-seventh session; 1/

1/ Official Records of the Economic and Social Council, 1991, Supplement Nos. 2 and 2A (E/1991/22 and Add.1).

(f) Report of the Committee on Economic, Social and Cultural Rights on its fifth session; 2/

(g) Note by the Secretary-General on allegations regarding infringements of trade union rights in South Africa (E/1991/41);

(h) Letter dated 19 March 1991 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General (E/1991/48);

(i) Note by the Secretariat transmitting the general comments of the Human Rights Committee adopted at its forty-first session (E/1991/53);

(j) Note by the Secretary-General on allegations regarding infringements of trade union rights (E/1991/57);

(k) Letter dated 17 April 1991 from the Chargé d'affaires a.i. of the Permanent Mission of Argentina to the United Nations addressed to the Secretary-General (E/1991/60);

(l) Programme budget implications of draft resolutions I and III and draft decision 30 recommended to the Economic and Social Council for adoption by the Commission on Human Rights (E/1991/C.2/L.18);

(m) Statement submitted by the International Federation of Women Lawyers, a non-governmental organization in consultative status with the Economic and Social Council, category II (E/1991/NGO/1);

(n) Statement submitted by the Four Directions Council, a non-governmental organization in consultative status with the Economic and Social Council, category II (E/1991/NGO/2);

(o) Statement submitted by the American Association of Jurists, the International Federation of Human Rights and the International League for the Rights and Liberation of Peoples, non-governmental organizations in consultative status with the Economic and Social Council, category II (E/1991/NGO/3).

2. At the 7th to 9th and 11th to 14th meetings, the Committee held a general discussion on the item. At the 7th meeting, on 17 May, the Committee heard an introductory statement by the Under-Secretary-General for Human Rights.

3. At the 8th meeting, on 20 May, statements were made by the representatives of Algeria, France and the United Kingdom of Great Britain and Northern Ireland and the observers for Luxembourg (on behalf of the States Members of the United Nations that are members of the European Community) and Cuba.

2/ Ibid., Supplement No. 3 (E/1991/23 and Corr.1).

4. At the 9th meeting, on 20 May, the representative of the Union of Soviet Socialist Republics made a statement.

5. At the 11th meeting, on 21 May, statements were made by the representatives of New Zealand, Yugoslavia, the United States of America, the Ukrainian Soviet Socialist Republic, the Syrian Arab Republic and Sweden. The observer for the Organization of the Islamic Conference made a statement. Statements were also made by the observers for the World Muslim Congress, the International Confederation of Free Trade Unions, the World Federation of Trade Unions, the International Alliance of Women - Equal Rights, Equal Responsibilities and the Muslim World League, non-governmental organizations in consultative status with the Economic and Social Council, category I.

6. At the 12th meeting, on 22 May, statements were made by the representatives of the United Kingdom of Great Britain and Northern Ireland, Canada, Tunisia, Argentina and China.

7. At the 13th meeting, on 22 May, statements were made by the representatives of Romania, Zambia, Brazil, Indonesia, Czechoslovakia, Morocco and Mexico and the observers for the Byelorussian Soviet Socialist Republic, Colombia, Albania, the Lao People's Democratic Republic and the Philippines.

8. At the 14th meeting, on 23 May, statements were made by the representatives of Bulgaria, Japan, Peru, Ecuador, Turkey, Iraq, Austria and Pakistan and the observers for Denmark (on behalf of the Nordic countries), El Salvador, Uganda, Viet Nam, Myanmar, Angola, Venezuela, Cyprus and Greece.

Recommendations contained in the report of the
Commission on Human Rights

9. Chapter I of the report of the Commission on Human Rights on its forty-seventh session (E/1991/22) contained 7 draft resolutions and 31 draft decisions recommended for adoption by the Council. Programme budget implications of the proposals were set out in annex III to the addendum to the report (E/1991/22/Add.1) and in document E/1991/C.2/L.18.

Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist regime of South Africa

10. At the 15th meeting, on 24 May, the Committee adopted draft resolution I, entitled "Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist regime of South Africa", by a recorded vote of 33 to 17 (see para. 89 below, draft resolution I). The voting was as follows:

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In favour: Algeria, Argentina, Bahamas, Bahrain, Brazil, Burkina Faso, Cameroon, Chile, China, Ecuador, Guinea, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Malaysia, Mexico, Morocco, Pakistan, Peru, Rwanda, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yugoslavia, Zaire, Zambia.

Against: Austria, Bulgaria, Canada, Czechoslovakia, Finland, France, Germany, Italy, Japan, Netherlands, New Zealand, Romania, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: None.

The representative of Nicaragua stated that he had voted in favour of the draft resolution, but that his vote was not reflected on the record.

11. After the draft resolution was adopted, the representative of New Zealand made a statement.

Question of enforced or involuntary disappearances

12. At the 15th meeting, on 24 May, the Committee adopted draft resolution II, entitled "Question of enforced or involuntary disappearances" (see para. 89 below, draft resolution II).

Right to a fair trial

13. At the 15th meeting, on 24 May, the Committee adopted draft resolution III, entitled "Right to a fair trial" (see para. 89 below, draft resolution III).

Question of a draft body of principles for the protection of persons with mental illness and for the improvement of mental health care

14. At the 15th meeting, on 24 May, the Committee adopted draft resolution IV, entitled "Question of a draft body of principles for the protection of persons with mental illness and for the improvement of mental health care" (see para. 89 below, draft resolution IV).

Rights of persons belonging to national, ethnic, religious and linguistic minorities

15. At the 15th meeting, on 24 May, the Committee adopted draft resolution V, entitled "Rights of persons belonging to national, ethnic, religious and linguistic minorities" (see para. 89 below, draft resolution V).

Question of a draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms

16. At the 15th meeting, on 24 May, the Committee adopted draft resolution VI, entitled "Question of a draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms" (see para. 89 below, draft resolution VI).

Strengthening of the independence of the experts members of the Subcommission on Prevention of Discrimination and Protection of Minorities

17. At the 15th meeting, on 24 May, the Committee considered draft resolution VII, entitled "Strengthening of the independence of the experts members of the Subcommission on Prevention of Discrimination and Protection of Minorities".

18. Also at the 15th meeting, the representative of the Syrian Arab Republic orally proposed the following amendment to the draft resolution:

"The Economic and Social Council,

"Taking note of resolution 1991/81 of the Commission on Human Rights,

"1. Reaffirms the independence and impartiality of the experts members of the Subcommission on Prevention of Discrimination and Protection of Minorities;

"2. Requests the Secretary-General to report to the Economic and Social Council through the Commission on Human Rights on the relevant ways and means to strengthen the independence of the experts members of the Subcommission on Prevention of Discrimination and Protection of Minorities".

19. Statements in connection with the text proposed by the Syrian Arab Republic were made by the representatives of Morocco, France, Pakistan, Mexico, China, the United States of America, Zaire and Algeria.

20. The Chairman ruled that the text proposed by the Syrian Arab Republic constituted a new proposal and proposed that action be taken on draft resolution VII first.

21. At the same meeting, the Committee adopted the draft resolution by a recorded vote of 31 to 6, with 17 abstentions (see para. 89 below, draft resolution VII). The voting was as follows:

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In favour: Argentina, Austria, Brazil, Bulgaria, Canada, Chile, Czechoslovakia, Ecuador, Finland, France, Germany, Guinea, Italy, Jamaica, Japan, Kenya, Mexico, Morocco, Netherlands, New Zealand, Nicaragua, Romania, Rwanda, Somalia, Spain, Sweden, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Burkina Faso, China, Iran (Islamic Republic of), Syrian Arab Republic, Trinidad and Tobago, Zambia.

Abstaining: Algeria, Bahamas, Bahrain, Botswana, Cameroon, Indonesia, Iraq, Jordan, Malaysia, Niger, Pakistan, Peru, Thailand, Togo, Tunisia, Yugoslavia, Zaire.

22. After the draft resolution was adopted, the representative of Peru made a statement.

23. At the same meeting, the representative of Morocco proposed that, in operative paragraph 1 of the draft resolution proposed orally by the representative of the Syrian Arab Republic (see para. 18 above), the words "Reaffirms the independence" should be replaced by the words "Reaffirms the need for the independence".

24. At the 16th meeting, on 24 May, the representative of the Syrian Arab Republic withdrew the draft resolution proposed orally at the 15th meeting.

Use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination

25. At the 15th meeting, on 24 May, the Secretary of the Committee informed the Committee that since draft decision 1, entitled "Use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination", was considered to be within the scope of perennial activities for which resources would normally be provided from within the existing provision for the Economic and Social Council mandates, the costs for the activities under that draft decision could be absorbed.

26. At the same meeting, the Committee adopted the draft decision (see para. 90 below, draft decision I).

27. After the draft decision was adopted, the representative of the United States of America made a statement.

Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination

28. At the 15th meeting, on 24 May, the Committee adopted draft decision 2, entitled "Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination" (see para. 90 below, draft decision II).

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29. After the draft decision was adopted, the representative of the United States of America made a statement.

Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve those human rights

30. At the 15th meeting, on 24 May, the Committee adopted draft decision 3, entitled "Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve those human rights" (see para. 90 below, draft decision III).

Respect for the right of everyone to own property alone as well as in association with others

31. At the 15th meeting, on 24 May, the Committee adopted draft decision 4, entitled "Respect for the right of everyone to own property alone as well as in association with others" (see para. 90 below, draft decision IV).

Situation of human rights in South Africa

32. At the 15th meeting, on 24 May, the Committee adopted draft decision 5, entitled "Situation of human rights in South Africa" (see para. 90 below, draft decision V).

Internally displaced persons

33. At the 15th meeting, on 24 May, the Committee adopted draft decision 6, entitled "Internally displaced persons" (see para. 90 below, draft decision VI).

World Conference on Human Rights

34. At the 15th meeting, on 24 May, the Secretary of the Committee informed the Committee that the resources required for draft decision 7, entitled "World Conference on Human Rights", were included in the programme budget for the biennium 1990-1991".

35. At the same meeting, the Committee adopted the draft decision (see para. 90 below, draft decision VII). After the draft decision was adopted, the representative of the United States of America made a statement.

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Torture and other cruel, inhuman or degrading treatment or punishment: report of the Special Rapporteur

36. At the 15th meeting, on 24 May, the Committee adopted draft decision 8, entitled "Torture and other cruel, inhuman or degrading treatment or punishment: report of the Special Rapporteur" (see para. 90 below, draft decision VIII).

Independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers

37. At the 15th meeting, on 24 May, the Committee adopted draft decision 9, entitled "Independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers" (see para. 90 below, draft decision IX).

Question of enforced or involuntary disappearances

38. At the 15th meeting, on 24 May, the Committee adopted draft decision 10, entitled "Question of enforced or involuntary disappearances" (see para. 90 below, draft decision X).

Question of arbitrary detention

39. At the 15th meeting, on 24 May, the Committee adopted draft decision 11, entitled "Question of arbitrary detention" (see para. 90 below, draft decision XI).

Human rights and the environment

40. At the 15th meeting, on 24 May, the Committee adopted draft decision 12, entitled "Human rights and the environment", by a recorded vote of 52 to 1, with 1 abstention (see para. 90 below, draft decision XII). The voting was as follows:

In favour: Algeria, Argentina, Austria, Bahamas, Bahrain, Botswana, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Czechoslovakia, Ecuador, Finland, France, Germany, Guinea, Indonesia, Iran (Islamic Republic of), Iraq, Italy, Jamaica, Jordan, Kenya, Malaysia, Mexico, Morocco, Netherlands, New Zealand, Nicaragua, Niger, Pakistan, Peru, Romania, Rwanda, Somalia, Spain, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, Yugoslavia, Zaire, Zambia.

Against: United States of America.

Abstaining: Japan.

41. After the draft decision was adopted, statements were made by the representatives of Japan, Romania and the United States of America.

Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief

42. At the 15th meeting, on 24 May, the Committee adopted draft decision 13, entitled "Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief" (see para. 90 below, draft decision XIII).

Assistance to Guatemala in the field of human rights

43. At the 15th meeting, on 24 May, the Committee adopted draft decision 14, entitled "Assistance to Guatemala in the field of human rights" (see para. 90 below, draft decision XIV).

Report of the Special Rapporteur on the sale of children, child prostitution and child pornography

44. At the 15th meeting, on 24 May, the Committee adopted draft decision 15, entitled "Report of the Special Rapporteur on the sale of children, child prostitution and child pornography" (see para. 90 below, draft decision XV).

Work of the Subcommission on Prevention of Discrimination and Protection of Minorities

45. At the 15th meeting, on 24 May, the Committee adopted draft decision 16, entitled "Work of the Subcommission on Prevention of Discrimination and Protection of Minorities" (see para. 90 below, draft decision XVI).

46. After the draft decision was adopted, a statement was made by the representative of the United States of America.

Report of the Working Group on Indigenous Populations of the Subcommission on Prevention of Discrimination and Protection of Minorities

47. At the 15th meeting, on 24 May, the Committee adopted draft decision 17, entitled "Report of the Working Group on Indigenous Populations of the Subcommission on Prevention of Discrimination and Protection of Minorities" (see para. 90 below, draft decision XVII).

Possible ways and means of facilitating the peaceful and constructive solution of problems involving minorities

48. At the 15th meeting, on 24 May, the Committee adopted draft decision 18, entitled "Possible ways and means of facilitating the peaceful and constructive solution of problems involving minorities" (see para. 90 below, draft decision XVIII).

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Situation of human rights in Kuwait under Iraqi occupation

49. At the 15th meeting, on 24 May, the Committee adopted draft decision 19, entitled "Situation of human rights in Kuwait under Iraqi occupation", by a recorded vote of 50 to 1 (see para. 90 below, draft decision XIX). The voting was as follows:

In favour: Argentina, Austria, Bahamas, Bahrain, Botswana, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Czechoslovakia, Ecuador, Finland, France, Germany, Guinea, Indonesia, Iran (Islamic Republic of), Italy, Jamaica, Japan, Kenya, Malaysia, Mexico, Morocco, Netherlands, New Zealand, Nicaragua, Niger, Pakistan, Peru, Romania, Rwanda, Somalia, Spain, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia, Zaire, Zambia.

Against: Iraq.

Abstaining: None.

50. After the draft decision was adopted, the representative of Iraq made a statement.

Situation of human rights in Cuba

51. At the 15th meeting, on 24 May, the Committee adopted draft decision 20, entitled "Situation of human rights in Cuba", by a recorded vote of 19 to 11, with 23 abstentions (see para. 90 below, draft decision XX). The voting was as follows:

In favour: Argentina, Austria, Bulgaria, Canada, Czechoslovakia, Finland, France, Germany, Italy, Japan, Morocco, Netherlands, New Zealand, Romania, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Algeria, Burkina Faso, China, Iran (Islamic Republic of), Iraq, Malaysia, Somalia, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Zambia.

Abstaining: Bahamas, Botswana, Brazil, Cameroon, Chile, Ecuador, Guinea, Indonesia, Jamaica, Jordan, Kenya, Mexico, Nicaragua, Niger, Pakistan, Peru, Rwanda, Thailand, Togo, Trinidad and Tobago, Tunisia, Yugoslavia, Zaire.

52. Before the draft decision was adopted, statements were made by the representatives of Zambia and the Union of Soviet Socialist Republics and the observer for Cuba.

Situation of human rights in Romania

53. At the 15th meeting, on 24 May, the Committee adopted draft decision 21, entitled "Situation of human rights in Romania" (see para. 90 below, draft decision XXI).

Cooperation with representatives of United Nations human rights bodies

54. At the 15th meeting, on 24 May, the Committee adopted draft decision 22, entitled "Cooperation with representatives of United Nations human rights bodies" (see para. 90 below, draft decision XXII).

Summary or arbitrary executions

55. At the 15th meeting, on 24 May, the Committee adopted draft decision 23, entitled "Summary or arbitrary executions" (see para. 90 below, draft decision XXIII).

Situation of human rights in Iraq

56. At the 15th meeting, on 24 May, the representative of the Centre for Human Rights stated in connection with the programme budget implications of decision 24, entitled "Situation of human rights in Iraq", contained in paragraphs 204-214 of document E/1991/22/Add.1, that paragraph 214 should be deleted.

57. At the same meeting, the Committee adopted the draft decision by a recorded vote of 43 to 1, with 4 abstentions (see para. 90 below, draft decision XXIV). The voting was as follows:

In favour: Argentina, Austria, Bahamas, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, Czechoslovakia, Ecuador, Finland, France, Germany, Guinea, Iran (Islamic Republic of), Italy, Jamaica, Japan, Kenya, Mexico, Netherlands, New Zealand, Nicaragua, Niger, Peru, Romania, Rwanda, Somalia, Spain, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia, Zaire, Zambia.

Against: Iraq.

Abstaining: China, Indonesia, Malaysia, Pakistan.

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58. After the draft decision was adopted, statements were made by the representatives of Iraq and the United States of America.

Situation of human rights in El Salvador

59. At the 15th meeting, on 24 May, the Committee adopted draft decision 25, entitled "Situation of human rights in El Salvador" (see para. 90 below, draft decision XXV).

Situation of human rights in Haiti

60. At the 15th meeting, on 24 May, the Committee adopted draft decision 26, entitled "Situation of human rights in Haiti" (see para. 90 below, draft decision XXVI).

Situation of human rights in Afghanistan

61. At the 15th meeting, on 24 May, the Committee adopted draft decision 27, entitled "Situation of human rights in Afghanistan" (see para. 90 below, draft decision XXVII).

Situation in Equatorial Guinea

62. At the 15th meeting, on 24 May, the Committee adopted draft decision 28, entitled "Situation in Equatorial Guinea" (see para. 90 below, draft decision XXVIII).

Situation of human rights in the Islamic Republic of Iran

63. At the 15th meeting, on 24 May, the Committee adopted draft decision 29, entitled "Situation of human rights in the Islamic Republic of Iran" (see para. 90 below, draft decision XXIX).

64. After the draft decision was adopted, a statement was made by the representative of the United States of America.

Question of human rights and states of emergency

65. At the 15th meeting, on 24 May, the Committee adopted draft decision 30, entitled "Question of human rights and states of emergency" (see para. 90 below, draft decision XXX).

Organization of the work of the forty-eighth session of the Commission on Human Rights

66. At the 15th meeting, on 24 May, the Committee adopted draft decision 31, entitled "Organization of the work of the forty-eighth session of the Commission on Human Rights" (see para. 90 below, draft decision XXXI).

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Recommendations contained in the report of the Committee
on Economic, Social and Cultural Rights

67. Chapter I of the report of the Committee on Economic, Social and Cultural Rights on its fifth session (E/1991/23 and Corr.1) contained two draft decisions recommended for adoption by the Council.

Non-submission of reports by States parties

68. At the 15th meeting, on 24 May, the Chairman informed the Committee that in connection with draft decision I, entitled "Non-submission of reports by States parties", the reports of Iceland and Uruguay under the International Covenant on Economic, Social and Cultural Rights had recently been submitted and that accordingly the names of those two States should be deleted from the draft decision.

69. At the same meeting, the Committee adopted the draft decision, as amended (see para. 90 below, draft decision XXXII).

Public information

70. At the 15th meeting, on 24 May, the Committee adopted draft decision II, entitled "Public information" (see para. 90 below, draft decision XXXIII).

Other proposals

Situation of human rights in southern Lebanon

71. At the 14th meeting, on 23 May, the representative of Jordan introduced a draft decision (E/1991/C.2/L.9) entitled "Situation of human rights in southern Lebanon".

72. At the 16th meeting, on 24 May, the Committee adopted the draft decision (see para. 90 below, draft decision XXXIV).

International Covenants on Human Rights

73. At the 14th meeting, on 23 May, the observer for the Byelorussian Soviet Socialist Republic, on behalf of Austria, Bulgaria, the Byelorussian Soviet Socialist Republic, 3/ Canada, Czechoslovakia, Denmark, 3/ Finland, Iceland, 3/ Italy, the Netherlands, New Zealand, Norway, 3/ Poland, Romania, Sweden, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland, introduced a draft resolution (E/1991/C.2/L.11) entitled "International Covenants on Human Rights". Subsequently, Hungary joined in sponsoring the draft resolution.

3/ In accordance with rule 72 of the rules of procedure of the Economic and Social Council.

74. At the 16th meeting, on 24 May, the representative of Algeria proposed an amendment to the draft resolution, by which, in operative paragraph 12, the words "the Commission against Apartheid in Sports and the Group of Three established under the International Convention on the Suppression and Punishment of the Crime of Apartheid" would be inserted after the words "the Committee on the Rights of the Child". This amendment was accepted by the sponsors.

75. The Committee then adopted the draft resolution as revised (see para. 89 below, draft resolution VIII).

United Nations Voluntary Trust Fund on Contemporary Forms of Slavery

76. At the 14th meeting, on 23 May, the representative of the Netherlands, on behalf of Colombia, 3/ Costa Rica, 3/ Ecuador, the Gambia, 3/ the Netherlands, the Philippines, 3/ Portugal, 3/ Romania and Venezuela, 3/ introduced a draft resolution (E/1991/C.2/L.12) entitled "United Nations Voluntary Trust Fund on Contemporary Forms of Slavery".

77. At the 16th meeting, on 24 May, the Committee adopted the draft resolution (see para. 89 below, draft resolution IX).

Suppression of the traffic in persons

78. At the 14th meeting, on 23 May, the representative of the Netherlands, on behalf of Belgium, 3/ Czechoslovakia, Ecuador, France, the Gambia, 3/ the Netherlands, Nicaragua, the Philippines, 3/ Romania and Venezuela, 3/ introduced a draft resolution (E/1991/C.2/L.13) entitled "Suppression of the traffic in persons".

79. At the 16th meeting, on 24 May, the representative of the Netherlands, on behalf of the sponsors, revised the draft resolution by replacing operative paragraph 4, which read:

"4. Requests the Secretary-General to assign the staff member who was appointed to serve the Working Group and undertake other activities relating to contemporary forms of slavery in the post which has been included in the budget of the Centre for Human Rights for questions relating to slavery and slavery-like practices, on a full-time basis, and to report to the Council on the steps taken at its first regular session in 1992",

by the following text:

"4. Urges the Secretary-General to ensure effective servicing of the Working Group and of other activities related to contemporary forms of slavery and slavery-like practices, and requests him to report to the Council at its regular session of 1992 on the steps taken".

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80. Also at the 16th meeting, the representative of Algeria proposed that the words "of their obligation to" in operative paragraph 1 of the draft resolution, be replaced by the words "that they should". This amendment was accepted by the sponsors.

81. At the same meeting, the Committee adopted the draft resolution, as revised (see para. 89 below, draft resolution X).

Developments relating to the activities of the Centre for Human Rights

82. At the 14th meeting, on 23 May, the observer for Greece, on behalf of Algeria, Argentina, Australia, 3/ Austria, Belgium, 3/ Bulgaria, Canada, Cape Verde, 3/ Chile, Costa Rica, 3/ Cyprus, 3/ Czechoslovakia, Denmark, 3/ the Dominican Republic, 3/ El Salvador, 3/ Finland, France, the Gambia, 3/ Germany, Ghana, 3/ Greece, 3/ Guatemala, 3/ Guinea-Bissau, 3/ Haiti, 3/ Hungary, 3/ Iceland, 3/ Indonesia, Ireland, 3/ Italy, Liechtenstein, 3/ Luxembourg, 3/ Madagascar, 3/ Mauritania, 3/ Morocco, the Netherlands, New Zealand, Nicaragua, Nigeria, 3/ Norway, 3/ Pakistan, Panama, 3/ Paraguay, 3/ Peru, the Philippines, 3/ Poland, 3/ Portugal, 3/ Romania, Senegal, 3/ Spain, Sweden, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, Venezuela 3/ and Zimbabwe, 3/ introduced a draft resolution (E/1991/C.2/L.14) entitled "Developments relating to the activities of the Centre for Human Rights".

83. At the 16th meeting, on 24 May, the Committee adopted the draft resolution (see para. 89 below, draft resolution XI).

Situation in Cambodia

84. At the 14th meeting, on 23 May, the Committee had before it a draft decision (E/1991/C.2/L.15) entitled "Situation in Cambodia" submitted by the Chairman of the Committee.

85. At the 16th meeting, on 24 May, the Committee adopted the draft decision (see para. 90 below, draft decision XXXV).

Infringements of trade union rights in South Africa

86. At the 14th meeting, on 23 May, the observer for Burundi, on behalf of the African States, introduced a draft resolution (E/1991/C.2/L.16) entitled "Infringements of trade union rights in South Africa".

87. At the 16th meeting, on 24 May, the Committee adopted the draft resolution (see para. 89 below, draft resolution XII).

88. Before the draft resolution was adopted, the representative of the United States of America made a statement.

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RECOMMENDATIONS OF THE SECOND (SOCIAL) COMMITTEE

89. The Second (Social) Committee recommends to the Economic and Social Council the adoption of the following draft resolutions:

[FOR THE TEXT OF DRAFT RESOLUTIONS I-VII, SEE THE REPORT OF THE COMMISSION ON HUMAN RIGHTS (E/1991/22), CHAP. I, SECT. A]

DRAFT RESOLUTION VIII

International Covenants on Human Rights

The Economic and Social Council,

Bearing in mind its important responsibilities in relation to the coordination of activities to promote the International Covenants on Human Rights, 4/

Mindful that the International Covenants on Human Rights constitute the first all-embracing and legally binding international treaties in the field of human rights and, together with the Universal Declaration of Human Rights, 5/ form the core of the International Bill of Rights,

Recalling the International Covenant on Economic, Social and Cultural Rights, 4/ the International Covenant on Civil and Political Rights 4/ and the Optional Protocols to the International Covenant on Civil and Political Rights 4/ and reaffirming that all human rights and fundamental freedoms are indivisible and interrelated and that the promotion and protection of one category of rights should never exempt or excuse States from the promotion and protection of the other rights,

Recognizing the important role of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights in promoting and implementing the International Covenants on Human Rights,

4/ See General Assembly resolution 2200 A (XXI), annex.

5/ General Assembly resolution 217 A (III).

Taking note with appreciation of the report of the Committee on Economic, Social and Cultural Rights on its fifth session, 6/ as well as the general comments of the Human Rights Committee adopted at its thirty-ninth session, 7/

Noting, in this regard, that a number of States Members of the United Nations have yet to become parties to the International Covenants on Human Rights,

Considering that the effective functioning of treaty bodies established in accordance with the relevant provisions of international instruments on human rights plays a fundamental role and hence represents an important continuing concern of the United Nations,

1. Reaffirms the importance of the International Covenants on Human Rights as major parts of the international effort to promote universal respect for and observance of human rights and fundamental freedoms;

2. Appeals strongly to all States that have not yet done so to become parties to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and to consider acceding to the Optional Protocols to the International Covenant on Civil and Political Rights;

3. Invites the States parties to the International Covenant on Civil and Political Rights to consider making the declaration provided for in article 41 of the Covenant;

4. Appeals to States parties to the Covenants that have exercised their sovereign right to make reservations in accordance with relevant rules of international law to consider whether any such reservations should be reviewed;

5. Invites the Secretary-General to intensify the systematic efforts to encourage States to become parties to the International Covenants on Human Rights and, through the programme of advisory services in the field of human rights, to provide technical assistance to the States that are not parties to the Covenants, with a view to assisting them in ratifying or acceding to the Covenants;

6. Emphasizes the importance of the strictest compliance by States parties to the Covenants with their obligations under the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and, where applicable, the Optional Protocols to the International Covenant on Civil and Political Rights;

6/ Official Records of the Economic and Social Council, 1991, Supplement No. 3 (E/1991/23 and Corr.1).

7/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 40 (A/45/40), vol. I, annex VI.

7. Stresses the importance of avoiding the erosion of human rights by derogation and the need for strict observance of all the agreed conditions and procedures for derogation under article 4 of the International Covenant on Civil and Political Rights;

8. Welcomes the continuing efforts of the Human Rights Committee to strive for uniform standards in the implementation of the provisions of the International Covenant on Civil and Political Rights and appeals to other bodies dealing with similar questions of human rights to respect those standards as expressed in the general comments of the Human Rights Committee;

9. Also welcomes the adoption by the Committee on Economic, Social and Cultural Rights of a general comment at both its third 8/ and fourth 9/ sessions, and encourages the Committee to continue using that mechanism to develop a fuller appreciation of the obligations of States parties under the International Covenant on Economic, Social and Cultural Rights;

10. Further welcomes the fact that the Committee on Economic, Social and Cultural Rights, in its general comment on article 2 (1) of the Covenant, adopted at its fifth session, 10/ dealt with the nature of States parties' obligations;

11. Invites States parties to the International Covenant on Economic, Social and Cultural Rights, in conformity with article 2, paragraph 1, of the Covenant, to consider identifying benchmarks to measure achievements in the progressive realization of the rights recognized in the Covenant and, in this context, to pay particular regard to the most vulnerable and disadvantaged groups;

12. Requests the Secretary-General to keep the Human Rights Committee and the Committee on Economic, Social and Cultural Rights informed of the relevant activities of the General Assembly, the Economic and Social Council, the Commission on Human Rights, the Commission on the Status of Women, the Subcommission on Prevention of Discrimination and Protection of Minorities, the Committee on the Elimination of Racial Discrimination, the Committee on the Elimination of Discrimination against Women, the Committee against Torture, the Committee on the Rights of the Child, the Commission against Apartheid in Sports, the Group of Three established under the International Convention on the Suppression and Punishment of the Crime of Apartheid, and, where appropriate, other functional commissions of the Economic and Social Council and the specialized agencies, and to transmit the annual reports of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights to all those bodies;

8/ Official Records of the Economic and Social Council, 1989, Supplement No. 4 (E/1989/22), annex III.

9/ Ibid., 1990, Supplement No. 3 (E/1990/23), annex III.

10/ Ibid., 1991, Supplement No. 3 (E/1991/23 and Corr.1), annex III.

13. Encourages all Governments to publicize the texts of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocols to the International Covenant on Civil and Political Rights, in as many languages as possible, and to distribute them and make them known as widely as possible in their territories;

14. Invites States parties to the Covenants, at their regular meetings in 1992, to consider the general comments adopted by the Human Rights Committee and the report of the Committee on Economic, Social and Cultural Rights;

15. Also decides to transmit the report of the Committee on Economic, Social and Cultural Rights to the General Assembly at its forty-sixth session for consideration under the agenda item entitled "Human rights questions".

DRAFT RESOLUTION IX

United Nations Voluntary Trust Fund on Contemporary Forms of Slavery

The Economic and Social Council,

Recalling its decisions 16 (LVI) and 17 (LVI) of 17 May 1974, by which it authorized the Subcommission on Prevention of Discrimination and Protection of Minorities to establish a Working Group on Slavery, renamed the Working Group on Contemporary Forms of Slavery by the Commission on Human Rights in its resolution 1988/42 of 8 March 1988, 11/

Taking note of Commission on Human Rights resolution 1991/58 of 6 March 1991, 12/ by which it requested the Economic and Social Council to take further action on its recommendation to the General Assembly to establish a voluntary fund on contemporary forms of slavery,

Gravely concerned that slavery, the slave trade, slavery-like practices and even modern manifestations of this phenomenon still exist, representing some of the gravest violations of human rights,

Convinced that the establishment of a voluntary trust fund on contemporary forms of slavery would constitute a significant development for the protection of human rights of victims of contemporary forms of slavery,

11/ Official Records of the Economic and Social Council, 1988, Supplement No. 2 (E/1988/12 and Corr.1), chap. II, sect. A.

12/ Official Records of the Economic and Social Council, 1991, Supplement No. 2 (E/1991/22), chap. II, sect. A.

1. Requests the General Assembly to establish a voluntary trust fund in accordance with the following criteria:

(a) The name of the Fund shall be the United Nations Trust Fund on Contemporary Forms of Slavery;

(b) The purposes of the Fund shall be, first, to assist representatives of non-governmental organizations from different regions, dealing with issues of contemporary forms of slavery, to participate in the deliberations of the Working Group on Contemporary Forms of Slavery by providing them with financial assistance and, second, to extend, through established channels of assistance, humanitarian, legal and financial aid to individuals whose human rights have been severely violated as a result of contemporary forms of slavery;

(c) Funding shall take place by means of voluntary contributions from Governments, non-governmental organizations and other private or public entities;

(d) The only types of activity to be supported by the Fund are those described in subparagraph (b) above;

(e) The only beneficiaries from the Fund shall be:

(i) Representatives from non-governmental organizations dealing with issues of contemporary forms of slavery:

a. Who are so considered by the Board of Trustees of the United Nations Voluntary Fund on Contemporary Forms of Slavery described in subparagraph (f) below;

b. Who would not, in the opinion of the Board, be able to attend the sessions of the Working Group without the assistance provided by the Fund;

c. Who would be able to contribute to a deeper knowledge on the part of the Working Group of the problems relating to contemporary forms of slavery;

(ii) Individuals whose human rights have been severely violated as a result of contemporary forms of slavery and who are so considered by the Board of Trustees of the United Nations Voluntary Fund on Contemporary Forms of Slavery;

(f) The Fund shall be administered in accordance with the Financial Regulations and Rules of the United Nations and other relevant provisions, with the advice of a Board of Trustees composed of five persons with relevant experience in the field of human rights and contemporary forms of slavery in particular, who will serve in their personal capacity; the members of the Board of Trustees shall be appointed by the Secretary-General for a three-year

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term renewable in consultation with the current Chairman of the Subcommission on Prevention of Discrimination and Protection of Minorities and with due regard to equitable geographical distribution.

DRAFT RESOLUTION X

Suppression of the traffic in persons

The Economic and Social Council,

Recalling Commission on Human Rights resolutions 1982/20 of 10 March 1982 13/ on the question of slavery and the slave trade in all their practices and manifestations, including the slavery-like practices of apartheid and colonialism, and 1988/42 of 8 March 1988, 14/ 1989/35 of 6 March 1989, 15/ 1990/63 of 7 March 1990 16/ and 1991/58 of 6 March 1991 17/ on the report of the Working Group on Contemporary Forms of Slavery of the Subcommission on Prevention of Discrimination and Protection of Minorities,

Recalling also its resolutions 1982/20 of 4 May 1982 and 1983/30 of 26 May 1983 on the suppression of the traffic in persons and of the exploitation of the prostitution of others, 1988/34 of 27 May 1988 and 1989/74 of 24 May 1989 on the Working Group on Contemporary Forms of Slavery of the Subcommission on Prevention of Discrimination and Protection of Minorities and 1990/46 of 25 May 1990,

Considering that the report of the Special Rapporteur of the Economic and Social Council on the suppression of the traffic in persons and the exploitation of the prostitution of others 18/ still constitutes a useful basis for further action,

13/ Official Records of the Economic and Social Council, 1982, Supplement No. 2 (E/1982/12), chap. XXVI, sect. A.

14/ Ibid., 1988, Supplement No. 2 (E/1988/12 and Corr.1), chap. II, sect. A.

15/ Ibid., 1989, Supplement No. 2 (E/1989/20), chap. II, sect. A.

16/ Ibid., 1990, Supplement No. 2 (E/1990/22 and Corr.1), chap. II, sect. A.

17/ Ibid., 1991, Supplement No. 2 (E/1991/22), chap. II, sect. A.

18/ E/1983/7 and Corr.1 and 2.

Noting with appreciation the report of the Secretary-General on the implementation of Economic and Social Council resolution 1983/30 on the suppression of the traffic in persons and of the exploitation of the prostitution of others, 19/

Noting that only a few Member States, United Nations organizations and other intergovernmental organizations have submitted information on the steps taken to implement the recommendations contained in Council resolution 1983/30,

Gravely concerned that slavery, the slave trade and slavery-like practices still exist, that there are modern manifestations of those phenomena and that such practices represent some of the gravest violations of human rights,

Aware of the complexity of the issue of the suppression of the traffic in persons and the exploitation of the prostitution of others, and the need for further coordination and cooperation to implement the recommendations made by the Special Rapporteur and by various United Nations bodies,

1. Reminds States parties to the Slavery Convention of 1926, 20/ the Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, 20/ and the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 1949 20/ that they should submit to the Working Group on Contemporary Forms of Slavery of the Subcommittee on Prevention of Discrimination and Protection of Minorities regular reports on the situation in their countries, as provided for under the relevant conventions and under Economic and Social Council decision 16 (LVI) of 17 May 1974;

2. Takes note with appreciation of the report of the Secretary-General on the implementation of Economic and Social Council resolution 1983/30 on the suppression of the traffic in persons and of the exploitation of the prostitution of others; 19/

3. Requests the Secretary-General to submit a further report to the Council, at its regular session of 1992, on the steps taken to implement the recommendations contained in Council resolution 1983/30 by those Member States, United Nations organizations and other intergovernmental organizations that have not yet submitted such information and to make that report available to the Working Group on Contemporary Forms of Slavery of the Subcommittee on Prevention of Discrimination and Protection of Minorities;

19/ E/1991/18.

20/ See Human Rights: A Compilation of International Instruments (United Nations publication, Sales No. E.88.XIV.1), sect. F.

4. Urges the Secretary-General to ensure effective servicing of the Working Group and of other activities related to contemporary forms of slavery and slavery-like practices, and requests him to report to the Council at its regular session of 1992 on the steps taken;

5. Requests the Secretary-General to designate the Centre for Human Rights as the focal point for the coordination of activities in the United Nations for the suppression of contemporary forms of slavery;

6. Urges the Commission on the Status of Women and the Committee on Crime Prevention and Control to collaborate closely with the Centre for Human Rights on the issue of suppression of contemporary forms of slavery;

7. Endorses the recommendation of the Commission on Human Rights, in its resolution 1991/58, that the supervisory bodies of the International Labour Organisation give particular attention in their work to the implementation of provisions and standards to ensure protection of children and other persons exposed to contemporary forms of slavery;

8. Endorses the recommendation of the Commission on Human Rights, in its resolution 1991/58, that the Human Rights Committee, the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child, when examining periodic reports of States parties, give particular attention to the implementation of, respectively, articles 8 and 24 of the International Covenant on Civil and Political Rights, articles 10, 12 and 13 of the International Covenant on Economic, Social and Cultural Rights, article 6 of the Convention on the Elimination of All Forms of Discrimination against Women, and articles 32, 34, 35 and 36 of the Convention on the Rights of the Child with a view to combating contemporary forms of slavery;

9. Decides to consider the question of the suppression of traffic in persons at its regular session of 1992 under the agenda item entitled "Human rights questions".

DRAFT RESOLUTION XI

Developments relating to the activities of the Centre for Human Rights

The Economic and Social Council,

Recalling General Assembly resolution 45/180 of 21 December 1990, Commission on Human Rights resolution 1991/23 of 5 March 1991 21/ and Economic and Social Council resolution 1990/47 of 25 May 1990,

21/ Official Records of the Economic and Social Council, 1991, Supplement No. 2 (E/1991/22), chap. II, sect. A.

/...

Recalling also section V of General Assembly resolution 45/248 B of 21 December 1990, concerning interim measures for additional human resources for the Centre for Human Rights,

Recognizing the important role of the Centre for Human Rights in the promotion, protection and implementation of human rights and the need to provide sufficient human resources to the Centre, particularly in view of the fact that its workload has greatly increased while resources have failed to keep pace with the expansion of its responsibilities, 22/

1. Notes with regret that the report requested in paragraph 3 of the Commission on Human Rights resolution 1991/23 has not been submitted to the Council;
2. Notes that the workload of the Centre for Human Rights has further increased due to the relevant resolutions of the General Assembly, the Economic and Social Council and the Commission on Human Rights;
3. Expresses its concern that unless appropriate financial measures are taken, the reduced efficiency of the servicing of human rights bodies by the Secretariat could be further impaired;
4. Calls upon the General Assembly to take into account the discrepancy between the Centre's resources and its increased responsibilities and, in accordance with established procedures, to take appropriate and prompt action to rectify the problem;
5. Requests the Secretary-General, in accordance with General Assembly resolution 45/180 and Commission on Human Rights resolution 1991/23, to submit to the General Assembly at its forty-sixth session a progress report on developments relating to the activities of the Centre for Human Rights.

DRAFT RESOLUTION XII

Infringements of trade union rights in South Africa

The Economic and Social Council,

Recalling its resolution 1989/82 of 24 May 1989, in which it requested the Secretary-General to persist in his efforts to ensure referral of the complaint made by the Congress of South African Trade Unions to the Fact-finding and Conciliation Commission on Freedom of Association of the International Labour Organisation,

Recalling also its resolution 1990/44 of 25 May 1990,

22/ E/1990/50 and A/45/807.

Taking note of the note by the Secretary-General on allegations regarding infringements of trade union rights, 23/

Having examined the relevant section of the report of the Ad Hoc Working Group of Experts on southern Africa of the Commission on Human Rights, 24/

Noting the evolving situation in South Africa,

Aware of the ever-growing importance of the independent black trade union movement in the struggle against apartheid,

1. Takes note of the note by the Secretary-General 23/ submitted pursuant to Council resolution 1989/82, circulating the note verbale dated 27 February 1991 from the Permanent Representative of the Republic of South Africa to the United Nations addressed to the Secretary-General;

2. Expresses its appreciation to the Secretary-General for persisting in his efforts to ensure the implementation of paragraph 9 of Council resolution 1989/82;

3. Regrets that the apartheid regime in South Africa has placed some conditions on its decision to agree that the allegations made by the Congress of South African Trade Unions should be referred to the Fact-finding and Conciliation Commission on Freedom of Association of the International Labour Organisation, and invites it to cooperate fully in the matter;

4. Decides to transmit to the Fact-finding and Conciliation Commission on Freedom of Association, through the Governing Body of the International Labour Office, the allegations of infringement of trade union rights made by the Congress of South African Trade Unions in May 1988;

5. Demands once again the unimpeded exercise of trade union rights, the immediate unconditional release of all trade unionists imprisoned for exercising their legitimate trade union rights and the cessation of the persecution of trade unionists and repression of the independent black trade union movement;

6. Takes note of the relevant section of the report of the Ad Hoc Working Group of Experts on southern Africa of the Commission on Human Rights; 24/

7. Requests the Ad Hoc Working Group of Experts on southern Africa to continue to study the situation and to report thereon to the Commission on Human Rights and the Economic and Social Council;

23/ E/1991/57.

24/ E/1991/41, annex.

8. Also requests the Ad Hoc Working Group of Experts on southern Africa, in discharging its mandate, to consult with the International Labour Organisation and the Special Committee Against Apartheid, as well as with international and African trade union confederations;

9. Requests the Secretary-General to submit to the Council, at its regular session of 1992, for consideration and action, as appropriate, a report on the implementation of the present resolution.

90. The Second (Social) Committee also recommends to the Economic and Social Council the adoption of the following draft decisions:

[FOR THE TEXT OF DRAFT DECISIONS I-XXXI, SEE THE REPORT OF THE COMMISSION ON HUMAN RIGHTS (E/1991/22), CHAP. I, SECT. B]

DRAFT DECISION XXXII

Non-submission of reports by States parties

The Economic and Social Council, recalling the concern that it has frequently expressed at the non-submission of reports by States parties to international human rights treaties, appeals to the following States, which have been parties to the International Covenant on Economic, Social and Cultural Rights for more than ten years but which have yet to submit even the initial report required by the Covenant, to do so as soon as possible: El Salvador, Gambia, Guinea, Kenya, Lebanon, Mali, Mauritius, Morocco, Sri Lanka and Suriname. The Council notes that these States might wish to avail themselves of the advisory services available from the Centre for Human Rights to assist them in the preparation of their overdue reports.

DRAFT DECISION XXXIII

Public information

The Economic and Social Council, noting the importance that it has consistently attached to public information activities in the field of human rights, requests the Secretary-General to undertake, as soon as possible, the preparation and publication of a brochure or booklet describing in detail the work of the Committee on Economic, Social and Cultural Rights.

DRAFT DECISION XXXIV

Situation of human rights in southern Lebanon

The Economic and Social Council takes note of Commission on Human Rights resolution 1991/66 of 6 March 1991 25/ and endorses the Commission's request that the Secretary-General bring that resolution to the attention of the Government concerned and report to the General Assembly at its forty-sixth session on the results of his efforts in that regard.

DRAFT DECISION XXXV

Situation in Cambodia

1. The Economic and Social Council, fully concerned about the protection of human rights in Cambodia, endorses Commission on Human Rights decision 1991/104 of 15 February 1991 26/ and reaffirms the right of the people of Cambodia to exercise their fundamental freedoms and human rights, including their right to self-determination.

2. The Council welcomes Security Council resolution 668 (1990) of 20 September 1990 and General Assembly resolution 45/3 of 15 October 1990 endorsing the framework for a comprehensive political settlement of the Cambodian conflict, which has been accepted in its entirety by all the Cambodian parties as the basis for settling the Cambodian conflict. The Council also welcomes the draft agreements of 26 November 1990 27/ and the final statement 28/ of the meeting between the co-chairmen of the Paris Conference on Cambodia and members of the Supreme National Council of Cambodia on 23 December 1990.

3. The Council further welcomes the formation of a Supreme National Council as the unique legitimate body and source of authority in which, throughout the transitional period, the independence, national sovereignty and unity of Cambodia is embodied. The Council urges that, in working towards the goal of a comprehensive political settlement, the Cambodian leaders should cooperate in assuming their responsibilities in order to achieve national reconciliation.

25/ Official Records of the Economic and Social Council, 1991, Supplement No. 2 (E/1991/22), chap. II, sect. A.

26/ Ibid., sect. B.

27/ A/46/61-S/22059, annex II.

28/ Ibid., annex I.

4. The Council also urges all parties to the conflict to exercise maximum self-restraint so as to create a climate conducive to the achievement and implementation of a comprehensive political settlement, as reiterated in the appeal of the co-chairmen of the Paris Conference on Cambodia and the Secretary-General of the United Nations on 22 April 1991 for a voluntary cease-fire in Cambodia.

5. The Council expresses the hope that the Paris Conference on Cambodia will be reconvened as soon as possible in order to adopt the agreement on a comprehensive political settlement and that a detailed plan of implementation will be drawn up in accordance with the agreement, providing, *inter alia*, for the full restoration of the human rights of the Cambodian people, including their inalienable right to self-determination in free and fair elections organized and conducted by the United Nations in a neutral political environment with full respect for the national sovereignty of Cambodia, and recognizing the need to promote and encourage respect for and full observance of human rights and fundamental freedoms in Cambodia.

6. The Council once again expresses its grave concern at the plight of the Cambodian displaced persons still stranded in Thailand as a result of the continuing hostilities in Cambodia.

7. The Council requests the Secretary-General to continue to monitor closely the developments in Cambodia and to intensify efforts, including the use of his good offices, to bring about a comprehensive political settlement of the Cambodian problem and to promote and encourage respect for and observance of human rights and fundamental freedoms in Cambodia.
